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Attorney Docket No. MJA-23702-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James Mault et al.

Serial No.: 09/976,967

Filed: October 12, 2001

Title: SYSTEM AND METHOD OF INTEGRATED CALORIE MANAGEMENT

DECLARATION OF MARK D. SCHNEIDER
REGARDING NON-SIGNING INVENTOR UNDER 37 CFR 1.47

I, Mark D. Schneider, declare under penalty of perjury that the following statements are true to the best of my knowledge:

1. I am a registered patent attorney, (Reg. No. 43,906) who is licensed to practice in the State of Michigan. I have a principal business address at the firm of Gifford, Krass, et. al; 280 North Old Woodward, Suite 400; Birmingham, MI 48009

2. On Thursday, March 7, 2002, in an effort to obtain the consent and signature of John Sanderson, an inventor named in the above-identified application, I telephone Mr. Sanderson's residence in Irvine, California. Specifically, a call was placed to 949-733-1092. The answering machine at the above telephone number indicated that I had "reached the Sanderson's". Therefore, I left a message on the answering machine requesting that John Sanderson contact me and/or immediately forward signed copies of the Declaration and Power of Attorney for the above-identified application.

3. On Friday, March 8th I placed a telephone call to John Sanderson's cell phone at 939-735-1039. A woman who answered that cell phone instructed me to call the above-

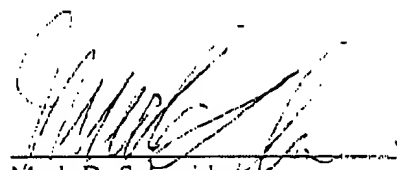
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identified home number of John Sanderson. Thereafter, I again called the home number of John Sanderson and left a second message requesting that he contact me or immediately forward a signed Declaration and Power of Attorney for the above application.

4. To date, I have received no reply to any message that has been left at John Sanderson's home phone number.

Further Declarant sayeth not.



Mark D. Schneider
Reg. No. 43,906
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.

Date: 3/12/2002

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